

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Ashvin Joseph Mathew et al.

Art Unit 2163

Serial No. 10/777,493

Filed 02/12/2004

Confirmation No. 5231

For AUTHORIZATION AND ACCESS CONTROL SERVICE FOR DISTRIBUTED
NETWORK RESOURCES

Examiner Linh Black

June 29, 2007

PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition Fee

☐ Applicant claims small entity status.

☐ Petition Fee of \$ _____ is enclosed.

☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of government fees to Deposit Account No. 19-1345.

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of a Response to Restriction Requirement:
- [] has been filed previously on _____.
[X] is enclosed herewith.
- B. The issue fee and publication fee (if applicable) of \$ _____
- [] has been paid previously on _____.
[] is enclosed herewith.
3. Terminal disclaimer with disclaimer fee
- [X] Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- [] A terminal disclaimer and disclaimer fee of \$_____ disclaiming the required period of time is enclosed herewith.
4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. In particular, a Restriction Requirement was mailed on October 10, 2006. On October 18, 2006, Applicant's representative James J. Barta, Jr. elected group II (claims 11-35) in a telephone call with Examiner Linh Black. On June 18, 2007, Mr. Barta received a telephone call from Examiner Azalech Agedew seeking to confirm abandonment of the present application, which was the first indication to Applicants and their attorneys that the application had been abandoned. On June 21, 2007, Mr. Barta spoke with Supervisory Examiner Don Wong who advised that this petition should be filed. Applicants made a bona fide attempt to advance prosecution of the application on October 18, 2006, and did not intend to abandon the application. The entire delay was unintentional.

Respectfully submitted,

/James J. Barta, Jr./

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Enclosures:

- ☐ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer/Fee
- ☐ Additional sheets containing statements establishing unintentional delay
- ☒ Other: Summary of Interview with Examiner on October 18, 2006

JJB/cjl